

REMARKS

Applicants respectfully request entry of the following amendments and remarks contained herein in response to the Final Office Action mailed June 6, 2005. Applicants respectfully submit that the amendment and remarks contained herein place the instant application in condition for allowance.

Upon entry of the amendments in this response, claims 42 – 81 remain pending. In particular, Applicants add claims 42 – 81, and cancel claims 1 – 41 without prejudice, waiver, or disclaimer. Applicants cancel these claims merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Examiner Interview

Applicants first wish to express sincere appreciation for the time that Examiner Olisa Anwah spent with Applicants' Attorneys, Jeff Kuester, and Anthony Bonner during a telephone discussion on March 3, 2005 regarding the outstanding Office Action. During that conversation, Examiner Anwah seemed to indicate that it would be potentially beneficial for Applicants to more clearly describe patentable features of the present application. More specifically, Examiner Anwah, seemed to indicate that including a limitation relating to translating a received control signal, might be potentially beneficial. Thus, Applicants respectfully request that Examiner Anwah carefully consider this response and the amendments.

II. Rejections Under 35 U.S.C. §102

The Office Action indicates that claims 1 – 41 stands rejected under 35 U.S.C. §102(e) as being anticipated by U.S. patent number 5,638,436 (“*Hamilton*”). Applicants respectfully traverse this rejection on the grounds that *Hamilton* does not disclose, teach, or suggest all of the claimed elements. However, Applicants cancel claims 1 – 41 and now consider this rejection moot in view of the newly added claims.

III. New Claims 42 – 81 are Allowable

A. Claim 42 is Allowable

Applicants submit that new claim 42 is allowable for at least the reason that the cited art fails to disclose, teach, or suggest at least “translation logic configured to translate the received command signal into a format associated with the control mode logic that is currently associated with the active status, in response to the determination that the received command signal corresponds to the control mode logic that is currently associated with inactive status” as recited in new claim 42. For at least this reason, Applicants submit that claim 42 is allowable in view of the cited art.

B. Claim 53 is Allowable Over the Cited Art

Applicants submit that new claim 53 is allowable for at least the reason that the cited art fails to disclose, teach, or suggest at least “translation logic configured to translate the received first command signal into a format corresponding to the control mode logic that is currently associated with the active status, in response to the determination that the received first command signal corresponds to the control mode logic that is currently associated with inactive status” as

recited in new claim 53. For at least this reason, Applicants submit that claim 53 is allowable in view of the cited art.

C. Claim 58 is Allowable Over the Cited Art

Applicants submit that new claim 58 is allowable for at least the reason that the cited art fails to disclose, teach, or suggest at least a method that includes the step of “in response to determining that the received command signal does not correlate with the active command mode, translating the received command signal into a format that corresponds to the active command mode” as recited in new claim 58. For at least this reason, Applicants submit that claim 58 is allowable in view of the cited art.

D. Claim 66 is Allowable Over the Cited Art

Applicants submit that new claim 66 is allowable for at least the reason that the cited art fails to disclose, teach, or suggest at least “logic configured to translate the received command signal to a format that corresponds to the first one of said command modes, in response to determining that the received command signal does not correspond with the first one of said command modes” as recited in new claim 66. For at least this reason, Applicants submit that claim 66 is allowable in view of the cited art.

E. Claim 69 is Allowable Over the Cited Art

Applicants submit that new claim 69 is allowable for at least the reason that the cited art fails to disclose, teach, or suggest at least “translating the received command signal to a format that corresponds to the first one of said command modes, in response to determining that the

received command signal does not correspond with the first one of said command modes” as recited in new claim 69. For at least this reason, Applicants submit that claim 69 is allowable in view of the cited art.

F. Claim 71 is Allowable Over the Cited Art

Applicants submit that new claim 71 is allowable for at least the reason that the cited art fails to disclose, teach, or suggest at least “in response to a command signal issued by a user after a call is connected, translating the command signal into a format corresponding to the activated command mode” as recited in new claim 71. For at least this reason, Applicants submit that claim 71 is allowable in view of the cited art.

G. Claim 77 is Allowable Over the Cited Art

Applicants submit that new claim 77 is allowable for at least the reason that the cited art fails to disclose, teach, or suggest at least a processor configured to “translate the subsequent command signal into a format that corresponds to the first command mode” as recited in new claim 77. For at least this reason, Applicants submit that claim 77 is allowable in view of the cited art.

H. Claims 43 – 52, 54 – 57, 59 – 65, 67 – 68, 70, 72 – 76, and 78 – 81 are Allowable in View of the Cited Art

In addition, new claims 43 – 52 are allowable for at least the reason that these claims depend from allowable independent claim 42. New claims 54 – 57 are allowable for at least the reason that these claims depend from allowable independent claim 53. New claims 59 – 65 are

allowable for at least the reason that these claims depend from allowable independent claim 58.

New claims 67 – 68 are allowable for at least the reason that these claims depend from allowable independent claim 66. New claim 70 is allowable for at least the reason that it depends from allowable independent claim 69. New claims 72 – 76 are allowable for at least the reason that these claims depend from allowable independent claim 71. New claims 78 – 81 are allowable for at least the reason that these claims depend from allowable independent claim 77. *In re Fine, Minnesota Mining and Mfg. Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Further, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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